



CITY OF FREEPORT

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August 25, 2020 – Meeting Minutes

A regular meeting of the Freeport City Council was convened at 7:00 pm by Mayor Mike Eveslage, and councilmembers Sarah Blake, Ben Eittle, Tim Hennen, and Jake Renneker.

Staff in attendance: Clerk-Treasurer Joan Wall, Public Works Director Loren Goebel, City Engineer Dave Blommel, City Attorney Scott Dymoke, Fire Chief Andy Grieve.

Absent: Administrative Assistant Lori Austing

Others in attendance:

Carol Moorman (Star Post)

Dolores Notch (Freeport Senior Center)

Gail Levenson (Widseth)

Branden Roering (Freeport Fire Dept)

Nick Arnzen (212 2nd Ave NW)

Greg Bohl (Widseth)

Approve Agenda

Wall asked to add claims #4221 for Freeport Senior Citizens Center and #4222 for Metro Sales to the consent agenda. Renneker moved to approve the agenda with the additions, seconded by Eittle. Motion carried 5-0.

Public Forum

No comments

Consent Agenda

Eittle moved to approve the consent agenda, seconded by Hennen. Motion carried 5-0.

Reports

Clerk-Treasurer Report

Hennen moved to waive the statutory liability limits, seconded by Renneker. Motion carried 5-0.

Wall stated the additional premium to raise the cyber security limit to \$500,000 is \$500 per year. Hennen moved to approve the standard cyber security limit of \$250,000, seconded by Renneker. Motion carried 5-0.

Eittle moved to approve the criminal prosecution contract with the Stearns County Attorney for 2021 and 2022, seconded by Blake. Motion carried 5-0.

Fire Department Report

Grieve reported that in the last month they had five medical calls and two fire calls. Grieve introduced Gail Levenson and Greg Bohl from Widseth. He stated it was \$1200 well spent for grant writing because we received the FEMA grant. Levenson explained that we were awarded a grant for 18 complete sets of self-contained breathing apparatus. Bohl handed out a packet with more information about Widseth. Levenson brought a contract agreement to file the final report for the FEMA grant for \$250. Etle moved to approve the Widseth contract, seconded by Renneker. Motion carried 5-0.

Council thanked Goebel for writing the grant application for the \$2,500 from CenterPoint Energy.

Grieve reported that the fire departments in Freeport, Melrose, and Grey Eagle each received a \$5,000 donation from Big Birch Lake Association.

Public Works Report

Goebel reported that he is continuing to work on the MPCA audit. Scherping Tree & Stump Removal has taken down the large tree by the creamery well. They still need to grind the stump. The annual lift station inspections have been done and it was recommended that we install a programmable logic controller (PLC). It would get rid of all the relays and put them in one box and would help with the SCADA. It would cost about \$2,000 and we could do this next year. Two of the lift stations should have them. We'll start with one to see how it works.

Engineer Report

The assessment letter the City hired Nagell Appraisal to prepare was received the afternoon just before the meeting and was available at the meeting. Blommel pointed out the following items in the letter:

- On page 5, the letter recommends a minimum assessment of \$6,000 and a maximum of \$12,000 per buildable residential lot in the street reconstruction area. Blommel agrees with the maximum.
- On page 7, the letter recommends a minimum assessment of \$4,000 and a maximum of \$8,000 per buildable residential lot in the 7th St SE street reclamation area. Blommel agrees with the maximum, but thinks there shouldn't be any minimums.
- On page 9, the letter recommends a minimum assessment of \$500 and a maximum of \$1,000 per buildable residential lot in the sewer pipe lining areas. Blommel believes the \$1,000 maximum is not nearly enough. He will speak with the appraiser to make sure he understands the scope of the work and the benefit.

Eveslage wondered if we shouldn't do 7th Street SE now because we'll need to do 8th Street SE at some point and we could do them at the same time. Blommel stated that is an option.

Blommel will finalize the feasibility study and present it next month.

Attorney Report

Dymoke explained that Eveslage asked him to look into what can be done when Goebel, Austing, and Wall encounter members of the public who are angry and at times exhibit unacceptable behavior. Eveslage believes city staff shouldn't take the brunt of abuse from the public. Dymoke explained that city hall is a public space, but people still need to act appropriately. It is appropriate to ask a person to leave if they get out of hand. If they don't comply, city staff can call the sheriff's office and have them put the individual out. Dymoke wanted to make council aware and have a policy for what to do in these situations. One option is to ban people from the premises, but that is problematic because council meetings and elections are

open to the public. If people are that upset, they should be coming to the council. If a person has to be removed repeatedly, an option might be to direct that person not to come to city hall unless it is for a public meeting or election.

Dymoke suggests the council could approve a resolution that says city staff may direct abusive people to leave the premises and may call the sheriff if necessary. The Mayor and the Clerk could issue a letter asking the person not to be on the premises. Ertle moved to approve such a resolution, seconded by Renneker. Motion carried 5-0.

Old Business

Administrative Penalties

Dymoke gave background on why some cities have implemented administrative penalties. About 15 years ago, cities were unhappy with the amounts of monetary fines they were receiving from the courts. Most of the money stays with the State and a little bit trickles back to the cities. An administrative penalty is paid directly to the city and the city keeps all of it. The State limits these penalties to the city's ordinances. Instead of a misdemeanor and court process, the city would issue a citation and an administrative fine. The city would adopt a resolution stating which ordinances would be fined and for how much. The weak part of this process is when people don't pay the fine, because the city's options are limited for enforcement. One option is to go back and see if there is a criminal citation (court) route. Another option is to lower it to a judgement, but they are often difficult to collect. A judgment would become a lien on their property, but the city would have to wait until the property is sold to collect. The city could not assess it to their property tax as an unpaid charge because an assessment is to collect out of pocket expenses, not fines. Eveslage stated it sounds like this might not be worth the trouble because we don't have a police force to enforce it. Goebel asked if we could charge for city staff's time and Dymoke said no.

Personnel Policy

Health insurance:

After discussion, the council's consensus was that if an employee chooses to opt out of health insurance, the employee should not receive payment in lieu of insurance. Council also agreed the city should keep the \$9,000 cap, but not pay additional to the employee if their insurance premium is less than the cap. Current employees will continue with the arrangements they have, but any new employees will fall under the new policy. Dymoke suggested the council could strike out the last sentence of the health insurance policy paragraph and that would accomplish what they are looking for. Ertle moved to strike the last sentence of the health insurance policy paragraph, seconded by Blake. Motion carried 5-0.

Compensatory Time:

Council spent time discussing various options. Eveslage asked if we could just say no more than 40 hours can be carried over. Dymoke explained that we either need to give comp time or overtime pay for hours worked. This is different than leave time accruals that can just expire after so long. Discussion continued. Eveslage tabled the topic.

New Business

Senior Center Cement Work

Dolores Notch would like to have cement along the whole front of the building so people can walk to the building in front of the cars instead of behind. She also asked if the rocks can be removed from around the building so children aren't throwing them around. Notch reported that the Senior Center received donations from two businesses so they have enough money to pay for the improvements. She asked if the handicap

parking signs could be mounted on the building instead of on the poles. Goebel said yes. Renneker moved to approve Notch's requests, seconded by Ertle. Motion carried 5-0.

Notch asked if people using the Senior Center could come back and sue the city if they got COVID and people weren't social distancing. Dymoke explained they would have to prove it came from that location. Eveslage suggested Austing could help Notch get some signs to put up.

Adjourn

At 8:25 pm Ertle moved to adjourn, seconded by Hennen. Motion carried 5-0.

Mayor, Mike Eveslage

City Clerk-Treasurer, Joan Wall